

**PUBLIC MEETING  
JANUARY 17, 2012  
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, January 17, 2012, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chairman Andy Hunthausen called the meeting to order at 9 a.m. Commissioner Mike Murray and Commissioner Derek Brown were present. Others attending all or a portion of the meeting included Kelly Blake, Nancy Everson, Christal Ness, Laura Erikson, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Cultural Trust Grant Agreement Between Montana Arts Council and Lewis & Clark County as Sponsor for Helena Presents/Myrna Loy Center in the Amount of \$7,584 for the Period July 1, 2011 – June 30, 2013, nunc pro tunc. (Ed Noonan)
- b. Request for Records Disposal or Transfer Authorization. (Paulette DeHart)
- c. Planning Grant Agreement – RPG-12-0302 Between Montana Dept. of Natural Resources and Lewis & Clark County for Inventory of Hydraulic Structures and Drainage-ways in the Helena Valley in the Amount of \$10,000. (Laura Erikson)
- d. Resolution 2012-8 Amending Resolution 2008-59 Authorizing Approval of Internal Loan in the Amount of \$2,800,000 at 4% Interest Payable by the Fairgrounds Fund. (Nancy Everson)
- e. Amendment No. 1 to Task Order No. 12-07-5-21-012-0 Between Lewis & Clark City-County Health Dept. and MT Dept. of Public Health & Human Services for the WIC Program Requiring Additional Reporting for FY12. (Dorothy Bradshaw)

Nancy Everson reported on the consent action items and recommended approval.

No public comments were received.

Commissioner Brown moved approval of consent action items and authorized the Chair to sign. Commissioner Murray seconded the motion. The motion carried 3-0.

Contract and Encroachment Agreement Between Lewis & Clark County and Doug and Laura Carlson, Owners. (Christal Ness). The concrete driveway and the garage are encroaching into the utility easement created upon the platting of Mud Springs Major Subdivision, and more specifically the 20-foot utility easement created on the northwest side of Lot 1-24, also known as 3203 Needle Court and described as Sec. 14, T10N, R2W, East of Helena, Lewis and Clark County, Montana.

Christal Ness presented the staff report. This house encroaches into the utility easement and is built partially on the neighbor's property to the north. The county has

no utilities in this utility easement. The owners relied upon another individual's representation of where his boundary lines were that is north of his existing property line. That was mistaken for his actual property line and that is how this occurred.

A boundary line relocation will be scheduled because he has some issues with the neighbor to the north. The gentleman who owns Lot 1-25 has agreed to the boundary line relocation and whatever else is necessary to rectify this situation. Once the boundary line relocation is complete, this gentleman anticipates coming in and proposing to do an Amended Plat to relocate that utility easement to adjoin the new property line.

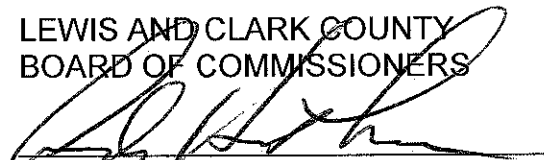
No public comment was received.

Commissioner Brown moved to approve the Contract and Encroachment Agreement. Commissioner Murray seconded the motion. The motion carried 3-0.

Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 9:15 a.m.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman




Michael A. Murray



Derek Brown

ATTEST:



Paulette DeHart, Clerk of the Board